

## **City Residency Requirement**

As a condition of your employment with the City, you must be a resident of Milwaukee (not a suburb). If you are a new employee and currently reside outside of the City, you must move into the City. Employees residing outside the City should have their department contact the Department of Employee Relations - Administration Division (286-3398) on relocation time allowance.

Only the City Service Commission has the authority to waive, for very special reasons and for short periods of time, the residence requirement. The Commission is also the only body empowered to rule on actual residence. Unless you meet established residence requirements, you are not entitled to receive your pay.

Section 5.02 of the City Charter requires City residency for its employees. Since the Milwaukee City Service Commission has enforcement responsibility for this provision, the Commission has directed that the following points be communicated to all employees:

1. Employees of the City of Milwaukee, whether regularly appointed or exempt, are required to maintain a bona fide residence within the City of Milwaukee and are required to live at the residence.
2. Employees who believe they have a legitimate reason for residing outside of the City for any period of time are required to request and receive permission from the City Service Commission in advance of establishing such a residence.
3. Employees found to be in non-compliance with the residency ordinance may be subject to immediate termination or discharge.
4. Employees with questions about the City residency requirements should contact either their immediate supervisor or the Department of Employee Relations at (286-3398).

### **Personnel Policy #87/4 (9/16/87):**

City of Milwaukee employees are required to maintain their actual bona fide residences within the City boundaries. Pursuant to Charter Ordinance, sec. 5.02, and Civil Service Rule VIII, sec. 11, the City Service Commission is authorized to make determinations relative to cases involving dual residency. The following is the Commission's policy with respect to such cases.

### **Dual Residency Policy Statement:**

In cases in which dual (or multiple) residency is an issue, a determination shall be made as to which location constitutes the actual residence and it shall be that location which will be considered in establishing whether an employee is in conformity with the intent of the Charter Ordinance and Civil Service Rule. Maintaining a rented room or rooms or maintaining living quarters with a friend or relative, when done principally for the purpose of establishing City residency shall not be considered as conforming. Neither ownership of real property in the City with payment of taxes, nor voting in the City shall be deemed adequate, unless the actual living quarters are in the City. The determination of actual residency shall include but not necessarily be limited to an overall consideration of the following factors:

1. At which location does the employee's family reside and attend school?
2. At which location does the employee keep his or her tangible personal property and effects?
3. At which location does the employee receive his or her correspondence?
4. At which location does the employee spend his or her time?
5. Which location does the employee list for official documents?
6. Which location is more suitable in terms of aesthetics, habitability, comparative comfort, convenience and regular access?
7. At which location is habitation fixed without any present intent to move?
8. At which location is there an apparent intent to make a permanent domicile?

In the event that one location is owned and the other is rented, some presumption of residency shall be applied to the owned property.

Decisions involving dual residency require judgment based upon the totality of circumstances present in each case. The aforementioned are among the indicia that will be considered in applying that judgment on a case-by-case basis. This underscores the fact that the intent of the Rule and Ordinance is to ensure that all employees are actual bona fide residents of the City of Milwaukee and that the City Service Commission will not tolerate subterfuge as a means of evading this unequivocal intent.